

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS

March 17, 1982

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m., Wednesday, March 17, 1982 in the City Hall Council Chambers.

ROLL CALL

Present: Councilmen - Hughes, Katnich,
Murphy, Pinkerton,
and McCarty (Mayor)

Absent: Councilmen - None

Also Present: City Manager Glaves, Assistant
City Manager Glenn, Community
Development Director Schroeder,
City Attorney Stein, and City
Clerk Reimche

INVOCATION

The invocation was given by Pastor Ronald Greilich,
Salem United Methodist Church

PLEDGE

The Pledge of Allegiance was led by Mayor McCarty.

PRESENTATIONS

A presentation was made to James Culbertson, who had served since 1975 as Lodi's representative on the Board of Trustees, San Joaquin Local Health District and who has served this Community for over 20 years as a member of the Planning Commission, City Councilman and on the heretofore stated Board.

PUBLIC HEARINGS

Notice thereof having been published in accordance with law and affidavit of publication being on file in the office of the City Clerk, Mayor McCarty called for the Public Hearing to consider the appeal of Jack L. Gilliland, M.D., 900 South Fairmont Street, Lodi of the Planning Commission's denial of his request to rezone the parcel at 1001 Windsor Drive, Lodi (Assessor's Parcel No. 031-103-21) from R-1, Single-Family Residential to R-C-P, Residential-Commercial-Professional.

The matter was introduced by Community Development Director Schroeder who presented diagrams of the subject area.

City Attorney Stein reminded the Council that Section 27-19 (d) of the City Code provides that the City Council may by a four-fifths vote of the entire Council, grant any appealed application and adopt by the vote an ordinance effecting such proposed changes or portions thereof.

The following persons spoke in favor of the appeal:

- a) Dr. Jack L. Gilliland, 900 S. Fairmont, Lodi
- b) Dr. Stanley L. Demski, 1385 E. Acampo Rd., Acampo
- c) Dr. Dennis Swanson, 900 S. Fairmont, Lodi

The following persons spoke in opposition:

- a) Daniel Best, Attorney at Law, 1101 Chianti Drive, Lodi, representing the South-West Lodi Home Owners Association.

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A letter from Del and Maye Caywood, 921 Windsor Drive, Lodi, requesting that the appeal be denied was presented to the Council.

There being no other persons in the audience wishing to speak on the matter, the public portion of the hearing was closed.

A very lengthy discussion followed with questions regarding the matter being directed to Staff.

Mayor Pro Tempore Murphy moved that Council defer action on the matter until April 7 to give both sides a chance to re-evaluate the matter. The motion was seconded by Mayor McCarty but failed to pass by the following vote:

Ayes:	Councilmen - Murphy
Noes:	Councilmen - Hughes, Katnich, Pinkerton, and McCarty
Absent:	Councilmen - None

Additional discussion followed with questions being directed to Staff.

Councilman Hughes then moved that on the following premises that the appeal of Dr. Gilliland, et al, be approved subject to the fact that (1) the area right now is substandard with respect to parking, that (2) it is believed that a large, well-landscaped parking lot such as should be depicted in the proposed plan would enhance the property value if, in fact, further encroachment were prevented, (3) that the parcel is subject to Site Plan review and that the Site Plan and Architectural Committee be directed to require that the landscaping be in the City requirements and that it be used as a parking lot, and (4) without including that in the motion, that we follow that with a motion to require that it be dedicated for perpetuity.

The motion was seconded by Councilman Pinkerton and carried by the following vote:

Ayes:	Councilmen - Hughes, Murphy, Pinkerton, and McCarty
Noes:	Councilmen - Katnich
Absent:	Councilmen - None

Councilman Pinkerton then moved that Council instruct the City Manager and the Chief Building Official that the City not issue any building permits until such time that the City Attorney is satisfied that the owners of the subject parcels have filed for record two things -- the necessary crossover agreements and an agreement that requires that those parking lots serve for perpetuity as parking lots only for those structures.

The motion was seconded by Councilman Hughes and carried.

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APPEAL OF JACK L.
GILLILAND OF PLANNING
COMMISSION'S DENIAL
TO REZONE PARCEL AT
1001 WINDSOR DRIVE,
LODI

ORDINANCE NO. 1253
INTRODUCED
CC - 53(2)
CC - 149

RECESS

By reference, Council made the following findings inclusive of these motions:

a) On November 18, 1981, Council approved the General Plan Amendment of this parcel and it is now the request of the applicant to have this parcel rezoned consistent with the General Plan designation. Therefore, in order to make the rezoning consistent with the General Plan, Ordinance No. 1253 is hereby introduced rezoning the parcel at 1001 Windsor Drive, Lodi, (Assessor's Parcel No. 031-103-21) from R-1, Single-Family Residential to R-C-P, Residential-Commercial-Professional with the restrictions heretofore listed.

Council declared a 5 minute recess at 9:30 p.m., Council reconvened at 9:35 p.m.

Notice thereof having been published in accordance with law and affidavit of publication being on file in the office of the City Clerk, Mayor McCarty called for the Public Hearing to consider the request of Ted Katzakian, et al, to rezone the Kennedy Ranch subdivision located on the west side of Lower Sacramento Road, northerly of the future extension of West Elm Street from U-H, Unclassified Holding to P-D (23), Planned Development District No. 23 with the following conditions:

1. That the density of the areas designated for cluster housing be a maximum of 15 units per acre;
2. That the cluster housing areas conform to the requirements of the City's R-GA, Garden Apartment Residential District, except for density;
3. That the single-family residential areas conform to the City's R-2, Single-Family Residential District; and
4. That the project conform to the Specific Plan for Lower Sacramento Road between West Turner Road and West Lodi Avenue.

The matter was introduced by Community Development Director Schroeder, who presented an indepth report regarding the subdivision and diagrams depicting the subject area.

Mr. Ted Katzakian, 330 S. Fairmont Avenue, Lodi then addressed the Council stating that their organization have been on a long road to reach the point of where they are this evening with the tentative map. The economy has reached the point to where they feel we are going to start a slow recovery, hopefully, in our industry and just reading the newspapers, the State and Federal Governments are now looking at ways to stimulate the economy by assisting the housing and the automobile industries which basically have been hit the hardest.

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Mr. Katzakian further stated that the subject property was annexed to the City in 1978. The zoning they are requesting meets the density requirements and is consistent with the general plan. Mr. Katzakian stated that they are in agreement with the conditions spelled out by the Planning Commission and have agreed upon the Lake being taken out and putting in a park. He stated that they are attempting to fulfill their obligations with the school district. Mr. Katzakian further stated that they are providing in this tentative map, an adequate buffer to the adjoining properties so as not to curtail their respective agricultural activities. This subdivision will be very similar to that of Aladdin Gardens. Mr. Katzakian further stated that as far as the use of the land for condominiums they don't have any specific layouts done on those parcels until they settle with the school district to find out exactly how much acreage they want in lieu of the bedroom tax.

Mr. Katzakian then responded to questions regarding the subject as were directed by Council.

Asking for a clarification of "Pond", was Mr. Earl Andorff, 400 North Lower Sacramento Road, Lodi. Community Development Director Schroeder stated that the meaning of "Pond" in this particular case is a park storm drainage retention basin such as are located throughout the City.

R. J. Terwillegher, J 1000 West Turner Road, Lodi addressed the Council stating that he was not against the project as such but he was concerned their being able to continue their farming operations (Towne Family farming operation). Mr. Terwillegher then read from Measure A, that portion pertaining to a buffer zone.

Mr. Wilbert Ruhl, 3933 Almond Drive, Lodi addressed the Council stating that he has always maintained that Lower Sacramento Road was a perfect buffer zone and that this property is located in the middle of Agricultural land. Mr. Ruhl stated that he thought Agricultural land should be protected in this area. Mr. Ruhl then read for the Council paragraph three of the Green Belt Initiative, stating that this was law and that he didn't see where the "buffer zone had taken place". Mr. Ruhl further stated "there's no protection to the farmer in that area on this deal".

Mr. Andorff, 400 North Lower Sacramento Road, Lodi, further addressed the Council stating that he can't think of any place else in the City where the residences have been subjected to the kind of situation where you have 22 acres of proposed high density homes. Mr. Andorff stated he didn't feel there was much need or market for condominiums.

Speaking in rebuttal was Mr. James Gerard, 330 S. Fairmont Avenue, Lodi.

Mr. Gerard addressed the need for condominiums in order to try and keep housing affordable.

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Mr. Gerard addressed Mr. Terwilleger's concerns regarding the ability to continue farming the Towne Ranch indicating that there have been two survey lines between the Kennedy Ranch and the Towne properties. Charlie Widows, according to Mr. Gerard, surveyed the line, which was never recorded and it goes some forty feet north of the existing deed line. Mr. Gerard stated that they are prepared to give the Towne family a quitclaim deed to this property; secondly, they are not permitting any building within 20 feet of the rear property line and have designed the lots on both the north and south side of the Kennedy Ranch which will front on agricultural developments with an extra 20 feet of depth. Further, there is about 20 feet from the first row of vines in the Towne Ranch to the set back line. Therefore, basically they would be prepared to have a 60 foot buffer zone in this particular area. Mr. Gerard further stated that there is a tremendous pent up demand for housing in the City of Lodi, and when interest rates come down, there is going to be a shortage of lots in Lodi. Mr. Gerard then presented transparencies of existing situations in the City where housing is next to farming.

Additional rebuttal and questions regarding Mr. Gerard's comments were presented by Mr. Andorff and Mr. Ruhl.

There being no other persons wishing to speak on the matter, the public portion of the hearing was closed.

On motion of Councilman Katnich, Murphy second, Council established the following findings in this matter:

- a) The area has been in the General Plan since 1962 as Low Density Residential.
- b) The subject property was annexed to the City of Lodi in 1978 with the zoning classification of "Unclassified Holding".
- c) The zoning must be consistent with the General Plan and the requested Planned Development Zoning is consistent with the General Plan.
- d) The buffer zone is consistent with the continued Agricultural productivity in the Green Belt Area pursuant to Measure A.

ORDINANCE REZONING
THE KENNEDY RANCH
SUBDIVISION LOCATED
ON THE WEST SIDE OF
LOWER SACRAMENTO
ROAD, NORTHERLY OF
THE FUTURE EXTENSION
OF WEST ELM STREET
FROM U-H, UNCLASSI-
FIED HOLDING TO P-D (23)
WITH CONDITIONS

Ordinance No. 1254 was introduced rezoning the Kennedy Ranch Subdivision located on the West side of Lower Sacramento Road, northerly of the future extension of West Elm Street from U-H, Unclassified Holding to P-D (23), Planned Development District No. 23 with the following conditions:

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ORDINANCE NO. 1254
INTRODUCEDCC-53(a)
CC-149

1. That the density of the areas designated for cluster housing be a maximum of 15 units per acre;
2. That the cluster housing areas conform to the requirements of the City's R-GA, Garden Apartment Residential District, except for density;
3. That the single-family residential areas conform to the City's R-2, Single-Family Residential District; and
4. That the project conform to the Specific Plan for Lower Sacramento Road between West Turner Road and West Lodi Avenue.

The motion carried by unanimous vote.

RECESS

Council declared a 5 minute recess at 10:30 p.m. and the Council reconvened at 10:35 p.m.

PLANNING COMMISSION
ITEMS OF INTEREST

CC-35(c)

The following report of the Planning Commission meeting of March 8, 1982 was presented: The Planning Commission

1. Approved the request of Ray Properties for the tentative Subdivision Map of Lodi Medical Condos', a one-lot condominium project located at 755 S. Fairmont Avenue in an area zoned R-C-P, Residential-Commercial-Professional.
2. Approved the request of Morris and Wenell, Architects and Planners, on behalf of Charles Ward to construct a 40,000 square foot structure for commercial and general uses at 1420 West Kettleman Lane in an area zoned P-D (15), Planned Development District No. 15.
3. Recommended that the San Joaquin County Board of Zoning Adjustment approve the request of the Lodi Hellenic Society to establish a meeting hall at the southeast corner of Harney Lane and Lower Sacramento Road in an area zoned GA-1, General Agricultural.

COMMUNICATIONS
CITY CLERK

CC-116

Following introduction of the matter, City Clerk Reimche was directed to prepare a letter to the Southern Pacific Transportation Company regarding the complaints expressed in a letter received from Lawrence A. Wilson, 325 Daisy Avenue, Lodi, that their trains are blowing their air horns unnecessarily.

ABC LICENSES

CC-117

City Clerk Reimche presented the following applications for alcoholic beverage license which had been received:

- a) Rico's Enterprises, Inc., Rico's Pizza No. 22 100 N. Cherokee Lane, Lodi, On Sale Beer and Wine Eating Place.
- b) George and Linda Alexander, Lakeside Produce, Inc., 1216 Turner Road, Lodi, Off-sale Beer and Wine. Community Development Director Schroeder stated that he would check to see if the zoning was proper for this type of license.

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- c) Baseball, Inc., Lodi Dodgers Baseball Club,
350 N. Washington Street, Lodi, On Sale Beer
and Wine seasonal.

INFORMATION RECEIVED
RE AB 699

cc-28

City Clerk Reimche presented a letter which had been received from Verne L. Roberts, Mayor, City of Antioch, and Joseph S. Siino, Mayor, City of Pittsburg, regarding AB 699 Cable TV Litigation.

INFORMATION REGARD-
ING CONSTRUCTION OF
AN EXPANDED POST
OFFICE IN DOWN TOWN
LODI

cc-146

City Clerk Reimche presented a letter which had been received from R. W. Chapman, Acting General Manager, Real Estate Division, United States Postal Service Stating that he finds that construction of an expanded post office at the existing location in downtown Lodi will not have a significant effect on the human environment and that it will not require the preparation of an Environmental Impact Statement.

SUPPORT REQUESTED
FOR RETURN TO A
PART-TIME STATE
LEGISLATURE

RES. NO. 82-31

cc-761
cc-300

City Clerk Reimche presented a letter which had been received from H. L. Richardson, Senator, Twenty-fifth district, stating that he will be introducing a Constitutional Amendment to repeal the full-time legislative system in California, and asking for Council's support. Following discussion, on motion of Councilman Pinkerton, Murphy second, Council adopted Resolution No. 82-31 supporting a return to a part-time State Legislature.

SAN JOAQUIN COUNTY
1982 AIR QUALITY
MANAGEMENT PLAN

cc-6

City Clerk Reimche presented Council with copies of the San Joaquin County 1982 Air Quality Management Plan and announced that the Board of Supervisors is the designated lead agency for air quality planning in the San Joaquin County area and will hold formal public hearings on the plan May 4, 1982 at 2:00 p.m.

COMMENTS BY CITY
COUNCILMEN

Mayor Pro Tempore Murphy directed questions to Staff regarding the leaf pickup program and about a spring cleanup date.

SPRING CLEANUP

POSTINGS FOR EDC
VACANCIES

cc-212

Mayor McCarty directed the City Clerk to make the necessary posting regarding the recent vacancies on the Economic Development Commission.

RESOLUTION APPROVING
APPLICATION FOR
COMPOSTING GRANT
FUNDS UNDER THE
SOLID WASTE MANAGE-
MENT ACT OF 1980
ADOPTED

cc-26(b)
cc-6
cc-300

Following introduction of the matter by Dave Vaccarezza, of Sanitary City Disposal Company and discussion, Council on motion of Councilman Pinkerton, Murphy second, adopted Resolution No. 82-23 - Resolution of the City Council of the City of Lodi Approving the Application of Composting Grant Funds Under the Solid Waste Management Act of 1980.

RES. NO. 82-23

REPORTS OF THE CITY
MANAGER

In accordance with report and recommendation of the City Manager, the following actions, hereby set forth between asterisks, on motion of Councilman Pinkerton, Katnich second, were approved by Council.

CONSENT CALENDAR

CLAIMS

cc-21(a)

CLAIMS WERE APPROVED IN THE AMOUNT OF
\$592,243.14

BRIERWOOD SUBDIVISION

The final map for Brierwood Subdivision which is a one-lot condominium subdivision comprised of

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16 separately owned condominium units and a common area was presented for approval. It is being developed by William Clemings at 1901 South Church Street. The off-site improvements are being installed under an encroachment permit and no subdivision agreement is required. The map is being filed to conform to the legal requirements of condominium projects.

COUNCIL APPROVED THE FINAL MAP FOR BRIERWOOD SUBDIVISION AND DIRECTED THE CITY CLERK TO SIGN THE SUBDIVISION MAP ON BEHALF OF THE CITY.

SOUTH STOCKTON STREET
COMMERCIAL-INDUSTRIAL
CONDOMINIUM - TRACT
#1778

CC-46

The final map for the South Stockton Street Commercial/Industrial Condominium - Tract #1778 was presented for approval. This map is for a one lot condominium subdivision comprised of three large commercial/industrial units with a common area. The subdivider is MCP Investments. It is located at the Southwest corner of Stockton Street and Neuharth Drive.

The Offsite improvements were installed at the time Maxwell Industrial Park was developed. No subdivision agreement or development fees are required. This map is being filed to conform to the legal requirements of condominium projects.

COUNCIL APPROVED THE FINAL MAP FOR THE ABOVE SUBDIVISIONS AND DIRECTED THE CITY CLERK TO SIGN THE SUBDIVISION MAP ON BEHALF OF THE CITY.

APPROVAL OF ASPHALT
MATERIAL SPECS

CC-47

COUNCIL APPROVED THE SPECIFICATIONS FOR ASPHALT MATERIAL AND AUTHORIZED THE PURCHASING AGENT TO ADVERTISE FOR BIDS TO BE RECEIVED WEDNESDAY, MARCH 31, 1982.

ACCEPTANCE OF
"TELEMETERING
SYSTEM FOR PUMP
STATIONS"

CC-47

Council was apprised that the contract for "Telemetering System for Pump Stations" which had been awarded to Collins Electrical, Co., Inc. of Stockton on May 21, 1980 in the amount of \$136,400 has been completed in substantial conformance with the plans and specifications approved by the City Council.

CC-48

COUNCIL ACCEPTED THE IMPROVEMENTS IN "BECKMAN, KOFU, VINEWOOD, SHADY ACRES, AND LODI LAKE PUMP STATIONS AND RIVERGATE, MOKELUMNE VILLAGE, NORTHEAST AREA SEWAGE LIFT STATIONS, AND DIRECTED THE PUBLIC WORKS DIRECTOR TO FILE A NOTICE OF COMPLETION THEREON WITH THE COUNTY RECORDER'S OFFICE.

CONTRACT WITH NATIONAL
ADVERTISING COMPANY
FOR BILLBOARDS ON
HIGHWAY 12 ENTRANCE
TO CITY RENEWED

CC-49

COUNCIL AUTHORIZED THE RENEWING OF A CONTRACT WITH 3-M NATIONAL ADVERTISING COMPANY FOR 1982 OUTDOOR ADVERTISING AT HIGHWAY 12 (WEST ENTRANCE TO THE CITY OF LODI) AT A COST OF \$250.00 PER MONTH PLUS COST OF POSTERS, WHICH CHARGES ARE TO BE MADE TO THE CITY'S BEAUTIFICATION FUND.

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RES. NO. 82-32

CC-9
CC-300

COUNCIL ADOPTED RESOLUTION OF APPRECIATION
NO. 82-32 FOR FRED C. WILSON, FINANCE
DIRECTOR/ TREASURER.

ITEM REMOVED FROM
AGENDA

With the tacit concurrence of the City Council, Agenda item "h" - "Consider request for 1951-52 fire engines by "old" Lodi High Site Committee" was removed from the Agenda.

ORDINANCE AUTHORIZ-
ING THE ISSUANCE OF
REFUNDING BONDS BY
NORTHERN CALIFORNIA
POWER AGENCY (RFL
GEOTHERMAL PROJECT)

Following introduction of the matter by City Manager Graves, and Council discussion, Council, on motion of Councilman Katnich, Hughes second, introduced Ordinance No. 1255 - Ordinance of the City Council of the City of Lodi Authorizing the Issuance of Refunding Bonds by the Northern California Power Agency (RFL Geothermal Project). The motion carried by unanimous vote.

ORD. NO. 1255 INTRO-
DUCED

ELECTIONS BY MAIL

AB 2400

City Clerk Reimche presented a report regarding Assembly Bill No. 2400, Elections by Mail, which had been introduced by Assemblyman Sher.

Existing law authorizes a local, special, or consolidated election to be conducted by mail if (1) the local agency authorizes the use of mailed ballots, (2) the election does not occur on the same date as a statewide election, and (3) the election is limited to 300 eligible voters and to specified taxation and water issues. This bill would specify which local agencies may authorize the use of mailed ballots, would delete the requirements of (3) above, and would add certain requirements for the conduct of elections by mail including a minimum period for return of ballots, verification of signatures, and procedures for consolidating the election with a county election as specified.

Proposed amendment to the bill were also presented for Council's review.

A lengthy discussion followed with questions being directed to the City Clerk by the Council.

RES. NO. 82-24

Councilman Katnich then moved for adoption of Resolution No. 82-24 supporting Assembly Bill 2400 with proposed amendments, which bill authorizes the extended use of mailed ballot elections to General Law Cities under certain conditions. The motion was seconded by Mayor McCarty and carried by the following vote:

Ayes: Councilmen - Katnich, Murphy
McCarty

Noes: Councilmen - Hughes & Pinkerton

Absent: Councilmen - None

Following a report by Assistant City Manager Glenn, discussion, and questions being directed to Staff,

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MODIFICATION OF
CITY'S DEFERRED
COMPENSATION
AGREEMENT AND PLAN

RES. NO. 82-25

cc-2(2)
cc-34
cc-300

Council, on motion of Councilman Pinkerton, Murphy second, adopted Resolution No. 82-25 approving modifications of the City's Deferred Compensation Agreement and Plan, whereby the City of Lodi agrees to contract for the services of Home Savings and Loan Association to perform for the City certain functions in the continuing operation of the Deferred Compensation Plan.

City Manager Graves presented the following bids which had been received for the main electrical switchboard to be used at Salas Park Lighting system:

BID EVALUATION

MAIN SWITCHBOARD - SALAS PARK
UD-E82-2

Supplier	Price Incl. Tax	Delivery (Weeks)	Manufacturer
Valley Electric, Co. Stockton, CA	\$8,054.94	10	Square "D" Company
Graybar Electric Co. Sacramento, CA	8,204.40	10	Square "D" Company
Consolidated Electrical Dist. Stockton, CA	8,215.00	10	ITE Gould
General Electric Supply Co. Emeryville, CA	10,160.10	10-12	G. E.
Westinghouse Electric Supply Co. Concord, CA	10,678.44	8-15	Westing- house

AWARD - MAIN
SWITCHBOARD
SALAS PARK

RES. NO. 82-26

cc-12(2)
cc-300

On recommendation of the City Manager, Council, on motion of Councilman Pinkerton, Murphy second, adopted Resolution No. 82-26 awarding the bid for the Main Switchboard - Salas Park to the low bidder, Valley Electric Company, in the amount of \$8,054.94.

City Manager Graves presented the bids which had been received for 61 (various size) wood utility poles. These poles will be used for the lighting system at Salas Park, the relocation of facilities for the traffic signal installation at Hutchins Street/Kettleman Lane intersection, the industrial development in the Turner Road/Cluff Avenue area and to replenish the department's stock of poles.

<u>Supplier</u>	<u>Total</u>
Koppers Co., Inc. West Sacramento, CA	\$16,303.86

Koppers Co., Inc.

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<u>Supplier</u>	<u>Total</u>
J. H. Baxter & Co. San Mateo, CA	\$ 18,604.43
McCormick & Baxter San Francisco, CA	19,280.34
General Electric Supply Emeryville, CA	20,032.94
Niedermeyer-Martin Co. Portland, Oregon	21,017.88
Westinghouse Elec. Supply Concord, CA	25,763.30

AWARD - WOOD UTILITY
POLES

RES. NO. 82-27

cc-12(a)
cc-300

On recommendation of the City Manager, Council on motion of Mayor Pro Tempore Murphy, Pinkerton second, adopted Resolution No. 82-27 awarding the contract for 61 (various size) wood utility poles to the low bidder providing all Douglas Fir Poles, Koppers Company, Inc., West Sacramento, California in the amount of \$17,005.58.

REQUEST TO USE
GRAPE BOWL FOR
CONCERTcc-6
cc-40

Parks and Recreation Director DeBenedetti addressed the Council advising that they had received a request to use the Grape Bowl for a concert considered to be soft rock and gospel music. Mr. DeBenedetti apprised the Council that if permission is granted, the City would be guaranteed:

1. \$2,000.00 up front
2. 10% of all concessions
3. The City will be paid for cleanup and all utilities
4. Promoter would provide:
 - a) Insurance, naming the City as additional insured
 - b) Security, both inside and outside
 - c) Pay for extra police traffic patrol, amount to be discussed with Police Department
 - d) External cleanup, if needed.

Mr. DeBenedetti stated that he would recommended that if any additional utilities are needed at the facility, it would be at the expense of the promoter and that the City is to receive 5% of the first \$10,000 over \$50,000 gross and 2% for any amount over the \$60,000 gross.

Following Council discussion, on motion of Councilman Pinkerton, Murphy second, Council approved the use of the Grape Bowl for a concert as outlined by Parks and Recreation Director DeBenedetti and authorized the City Attorney to draw up an appropriate agreement.

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STOCKTON FARMERS
MARKET ASSOCIATION

6.6

Parks and Recreation Director DeBenedetti reported to the City Council that he had been approached by the Stockton Farmers Market Association indicating that a group of interested farmers would like to get a farmers market location in Lodi. Their needs and requests are as follows:

1. They have looked at and want Lawrence Park as a location
2. Use of parking on streets, as well as parking lots, adjacent to the Park on Washington and Lockeford and Stockton and Lockeford Streets, as well as the parking at Armory Park and the Stadium.
3. Use of restrooms at Lawrence Park and additional trash bins.
4. Permission to park trucks on Lawrence Park proper along Lockeford Street on park property and, depending on their needs, in other areas of the park.

other particulars:

1. They are non-profit
2. They charge the vendor \$10.00 per day. The money is used to pay their expenses plus two paid staff.
3. The day requested is each Thursday from 6:00 a.m. to 1:00 p.m. year-round or as long as weather permits.
4. The organization will furnish insurance up to \$1,000,000 naming the City as additional insured.
5. They will take care of cleanup to our satisfaction.
6. They will have concession privileges, with the City receiving 10% of gross.
7. A rental fee per se was not really discussed. At present this organization has three markets going in Stockton, Manteca and Tracy. If I am correct, Stockton and Manteca are located on State property and they pay \$1.00 a month. In Tracy they use a portion of a City park and a portion of a blocked-off street for \$1.00 per month.
8. They will get a business license and have agreed to, along with cleanup, furnish the City funds to purchase fertilizer to fertilize the area two times each year, plus cover any unforeseen damages.
9. It was agreed that if security is needed they would provide same.

Council discussion followed with questions being directed to Staff.

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PERMISSION GRANTED
FOR FARMERS' MARKET
WITHIN CITY OF LODI

RES. NO. 82-28

cc-300

On motion of Councilman Katnich, Murphy second, Council adopted Resolution No. 82-28 authorizing the use of Lawrence Park for a Farmers Market as outlined by Parks and Recreation Director DeBenedetti and authorized the City Attorney to prepare an appropriate year-to-year agreement.

Council was apprised that the 1981-82 budget has provided \$41,250 for the purchase of 5 police vehicles. Normally, the City purchases Police vehicles from the State of California. This year, the State is purchasing CHP vehicles from Chevrolet. If the City were to purchase Chevrolets, it would be necessary to make major modifications to the screens and equipment brackets to transfer them from the present vehicles. This cost is estimated to be \$400 to \$500 per vehicle. The price from the State would be \$8,394.64 per vehicle.

AWARD - POLICE
VEHICLES TO WEIL
MOTORS

RES. NO. 82-29

cc-122
cc-300

The 1982 Dodges will accept the present equipment with little or no modification. The City has received an unsolicited quotation from Swift Dodge of Sacramento to provide 1982 Dodge Diplomats with CHP police vehicle specifications for a delivered price of \$8,156.66 per vehicle, including tax. The City contacted Weil motors and asked if they could meet that quoted price and the City subsequently received a quotation from Weil Motors of \$8,146.10. It was Staff's recommendation that the City Council award the purchase of five (5) 1982 Dodge Diplomat vehicles with police package to Weil Motors, Inc. of Lodi at a cost of \$8,146.10 per vehicle, including tax. On motion of Councilman Pinkerton, Murphy second, Council adopted Resolution No. 82-29 awarding the purchase of five (5) 1982 Dodge Diplomats to Weil Motors, Inc. at a cost of \$8,146.10 including tax per vehicle.

Following introduction of the subject by City Manager Graves and Parks and Recreation Director DeBenedetti Council was apprised that the stature of a community is not measured by size alone but in the way its physical and cultural needs are met.

With this in mind as being most important and with the establishment of the Lodi Community Center, which adheres to the above statement, along with the constant and concrete evidence of an expanding interest in the arts, both nationally and locally, it is most advisable that a Lodi Arts Commission be established to assist local arts groups to become more reflective of the wide range of contributive talents existing within the community.

Such a commission, parallel to and balancing the existing Recreation Commission, will provide strong support within the administration of the Lodi Community Center and will prove a valuable assist to the City in procuring such monies from regional, state, and national sources as may be available in support of the arts and their furtherance.

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To such end, the following design for the establishment of a Lodi Arts Commission is hereby submitted.

Council received the heretofore referenced material and a review of the material was presented for Council's consideration.

Following discussion, Council determined

- (a) That the growth and flourishing of art and culture depend upon freedom, imagination and individual initiative;
- (b) That the encouragement and support of art and culture, while primarily a matter for private and local initiative, is also an appropriate matter of concern of the City of Lodi.
- (c) That this City's prestige and general welfare will be promoted by providing recognition that art and culture, and the creative spirit which motivates them and which they personify, are valued as an essential part of the City's resources;
- (d) That it is in the best interest of the City of Lodi to maintain, develop and disseminate the City's artistic and cultural resources;
- (e) That the continued growth of the Arts can no longer be sustained by traditional resources; and
- (f) That in order to implement these findings it is desirable to establish the Lodi Arts Commission to provide such recognition and assistance as will encourage and promote the City's artistic and cultural progress.

LODI ARTS COMMISSION
ESTABLISHED

RES. NO. 82-30
CC - 260
CC - 300

ADJOURNMENT

and on motion of Councilman Pinkerton, Murphy second, Council adopted Resolution No. 82-30 establishing a Lodi Arts Commission, asking for nominations of its 15 members from the various arts disciplines, and directing the City Clerk to make the necessary posting for applications.

There being no further business to come before the Council, Mayor McCarty adjourned the meeting at approximately 11:45 p.m.

Attest:

Alice M. Reimche
ALICE M. REIMCHE
City Clerk